

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN OWEN HOBBS, JR.,

Defendant.

CR 13–63–GF–DLC

ORDER

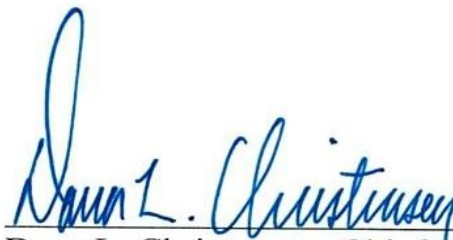
United States Magistrate Judge Keith Strong entered Findings and Recommendation in this matter on November 14, 2013. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). This Court will review the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Strong recommended this Court accept John Owen Hobbs, Jr.'s guilty plea after Hobbs appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to the charge of Theft from an Indian Tribal Organization and aiding and abetting, as set forth in the Indictment.

I find no clear error in Judge Strong's Findings and Recommendation (Doc. 56), and I adopt them in full, including the recommendation to defer acceptance of the Plea Agreement until sentencing when the Court will have reviewed the Plea Agreement and Presentence Investigation Report.

Accordingly, IT IS ORDERED that John Owen Hobbs, Jr.'s motion to change plea (Doc. 47) is GRANTED.

DATED this 9th day of December, 2013.



Dana L. Christensen, Chief District Judge
United States District Court